

AT AN ADJOURNED MEETING OF THE BOARD OF SUPERVISORS OF THE COUNTY OF MONTGOMERY, VIRGINIA HELD ON THE 26TH DAY OF SEPTEMBER 2005, AT 6:00 P.M. IN THE BOARD CHAMBERS, MONTGOMERY COUNTY GOVERNMENT CENTER, 755 ROANOKE STREET, CHRISTIANSBURG, VIRGINIA:

PRESENT:	Gary D. Creed	-Chair
	Steve L. Spradlin (Arrived 6:14 p.m.)	-Vice Chair
	Mary W. Biggs	-Supervisors
	Doug Marrs	
	John A. Muffo	
	Annette S. Perkins (Arrived 6:15 p.m.)	
	B. Clayton Goodman, III	-County Administrator
	L. Carol Edmonds	-Assistant County Administrator
	Martin M. McMahon	-County Attorney
	Angie Hill	-Finance & Management Services Director
	Marc McGruder	-Budget Manger
	T.C. Powers	-Planning & GIS Director
	Robert C. Parker	-Public Information Officer
	Judy W. Kiser	-Assistant to the County Administrator
ABSENT:	James D. Politis	-Supervisor

CALL TO ORDER

The Chair called the meeting to order.

INTO CLOSED MEETING

On a motion by Mary W. Biggs, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Closed Meeting for the purpose of discussing the following:

Section 2.2-3711

- (1) Discussion , Consideration or Interviews of Prospective Candidates for Employment; Assignment, Appointment, Promotion, Performance, Demotion, Salaries, Disciplining or Resignation of Specific Officers, Appointees or Employees of Any Public Body
 1. Adjustment and Appeals Board
 2. Agency on Aging
 3. Office on Youth Advisory Board
 4. Personnel
- (3) Discussion or Consideration of the Acquisition of Real Property for Public Purpose, or of the Disposition of Publicly Held Real Property, Where Discussion in an Open Meeting Would Adversely Affect the Bargaining Position or Negotiation Strategy of the Public Body
 1. Montgomery County Government Center
 2. Blacksburg High School Stadium
- (5) Discussion concerning a prospective business or industry or the expansion of an existing business or industry where no previous announcement has been made of the business= or industry= interest in locating or expanding its facilities in the community.
 1. Falling Branch Corporate Park

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
John A. Muffo	None	Annette S. Perkins
Mary W. Biggs		James D. Politis
Doug Marrs		Steve L. Spradlin
Gary D. Creed		

OUT OF CLOSED MEETING

On a motion by Mary W. Biggs, seconded by John A. Muffo and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Closed Meeting to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Mary W. Biggs	None	James D. Politis
Doug Marrs		
Steve L. Spradlin		
Annette S. Perkins		
John A. Muffo		
Gary D. Creed		

CERTIFICATION OF CLOSED MEETING

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

WHEREAS, The Board of Supervisors of Montgomery County has convened a Closed Meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of the Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3711 of the Code of Virginia requires a certification by the Board that such Closed Meeting was conducted in conformity with Virginia law.

NOW, THEREFORE, BE IT RESOLVED, That the Board of Supervisors of Montgomery County, Virginia hereby certifies that to the best of each member's knowledge (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion conveying the closed meeting were heard, discussed or considered by the Board.

VOTE

AYES

Doug Marrs
Steve L. Spradlin
Annette S. Perkins
John A. Muffo
Mary W. Biggs
Gary D. Creed

NAYS

None

ABSENT DURING VOTE

James D. Politis

ABSENT DURING MEETING

James D. Politis

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

PUBLIC HEARINGS

Renewals of AFD-7, AFD-9 and AFD-10

Proposed Renewals of Agricultural & Forestal District 7 (Wilson Creek/Den Creek); Agricultural & Forestal District 9 (Elliston/Peddler Hills); and Agricultural & Forestal District 10 (Mount Tabor Road).

The Planning & GIS Director provided an overview of the Agricultural & Forestal District program. An agricultural and forestal district are rural conservation zones reserved for the production of agricultural products, timber, and the maintenance of open space land. Districts are voluntary and are initiated by a landowner or group of landowners. By establishing a district, landowners agree not to convert their farm, forest land, and other open space to more intense commercial, industrial or residential uses for a term between 4-10 years. In Montgomery County the term is for 8 years. There are three districts up for renewal, AFD-7, AFD-9, and AFD-10. The AFD Advisory Committee met on July 16, 2005 and conducted a field review on the three AFD's up for renewal. The AFD Advisory Committee recommended that all properties in AFD-7, AFD-9, and AFD-10 be renewed for a period of eight years, January 2006 – December 2013.

At their September 14, 2005 meeting, the Planning Commission found the renewals to be in conformance with the Comprehensive Plan and recommended approval of the renewals to the Board of Supervisors.

Arnold Lafon spoke in support of renewal for the Agricultural & Forestal Districts.

There being no further speakers, the public hearing was closed.

Prices Fork Village Plan – Amendment to the 2025 Comprehensive Plan

Montgomery County request to amend the 2025 Comprehensive Plan by adding the Prices Fork Village Plan. To consider the policy framework, maps and supporting data for the Prices Fork Village Plan. The Prices Fork Village Plan is the first in a series of six villages specified in PLU 1.7 Villages, PLU 1.7.1 Village Planning Process, and PNG 4.0 Villages and Rural Communities in Montgomery County 2025 Comprehensive Plan.

The Chairman explained that advertisement of the public hearing was inadvertently not scheduled, so the official public hearing is scheduled for October 24, 2005. He announced that members of the

audience who wished to address the Board on this matter were welcome to do so following a brief presentation by the Planning Director.

The Planning Director provided a brief overview on the Prices Fork Village Plan. The Prices Fork Village Plan is the first in a series of six villages planned for Montgomery County.

Scott Carr spoke in support of keeping the Prices Fork Elementary School in the historic district of Prices Fork. Mr. Carr stated the Prices Fork Village Plan has the location of the school within the village. He believes moving the school away from the present location would be a mistake and an injustice to the children. He requested the Board to consider keeping the elementary school in the Prices Fork area.

Bernadette Mondy addressed the Board in support of the Prices Fork Village Plan. Ms. Mondy appreciates the proactive approach the county is taking in the village planning process. The plan is obviously the product of hard work and a great deal of community input. It is clear that the residents of Prices Fork want their community to stay separate and distinct from surrounding localities and keeping a school within the community boundaries is one of the most important steps toward achieving that goal. Ms. Mondy asked that Prices Fork be kept a dynamic and unique community by keeping the school in the heart of the community.

Bill McDonald spoke in support of keeping the Prices Fork Elementary School in the Prices Fork community. Mr. McDonald believes it would not be a wise choice to move the school closer to other schools. He stated that the community supports the school and the school supports the community.

Garnett Rudisill expressed concern with the idea of moving the location of Prices Fork Elementary School. He does not see any reason to move the school. He believes the school is the focal point of the community and if you move the school you move the heart of Prices Fork.

There being no further speakers, the public hearing was closed.

PUBLIC ADDRESS

Arnold Lafon updated the Board on the Riner Cannery Committee meetings. Mr. Lafon stated the Committee is meeting regularly and plan to submit a report to the Board of Supervisors in the near future. The report will consist of recommendations for remodeling, which will include a new exhaust system.

Michael Yopp addressed the Board about the status of adding Flick Drive to the state secondary system. The County Administrator reported that staff has been reviewing this issue and has determined that the 40 foot right-of-way is still in existence and that two drainage easements will be required. Staff is working with VDOT to determine the best way to add Flick Drive into the state system.

Dennis Brooks spoke in support of adding Flick Drive to the state secondary road system, and thanked the Board for their help.

Margaret Smith addressed the Board regarding the Board's recommendation on the State Six Year Primary Road Plan, in particular the three recommendations regarding Route 8 between Christiansburg and Floyd County. Ms. Smith endorses the County's request for turning lanes at Rt. 8 and Life Drive and Smith Creek as a top priority. She asked the Board to reconsider the request for a traffic light at Route 8 intersection with Fairview Church Road due to safety and traffic congestion. Ms. Smith remarked there are numerous entrances in this area and believes a traffic light will only cause more congestion by stopping traffic and blocking every entrance. She also requested that the recommendations for upgrading/improving Route 8 from the Floyd County line to Christiansburg should include bringing the two lanes up to standard width, straightening the numerous dangerous curves, and adding shoulders for disabled vehicles to pull off the road.

There being no further speakers, the public address session was closed.

ADDENDUM

On a motion by Mary W. Biggs, seconded by Steve L. Spardlin and carried the following addendum dated September 26, 2005 was added to the Agenda under New Business:

Resolution agreeing to the purchase agreement between CJ&S Petroleum and Montgomery County.

The vote on the foregoing motion was as follows:

AYE

Mary W. Biggs
Annette S. Perkins
John A. Muffo
Steve L. Spradlin
Gary D. Creed

NAY

Doug Marrs

ABSENT

James D. Politis

CONSENT AGENDA

On a motion by Steve L. Spradlin, seconded by Annette S. Perkins and carried unanimously, the Consent Agenda dated September 26, 2005 was approved.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	James D. Politis
Steve L. Spradlin		
Doug Marrs		
Mary W. Biggs		
John A. Muffo		
Gary D. Creed		

Approval of Minutes

On a motion by Steve L. Spradlin, seconded by Annette S. Perkins and carried unanimously, the minutes dated September 12, 2005 were approved.

R-FY-06-36 SCHEDULE PUBLIC HEARING TRANSPORTATION ENHANCEMENT PROGRAM APPLICATION

On a motion by Steve L. Spradlin, seconded by Annette S. Perkins and carried unanimously,

WHEREAS, The Federal Transportation Enhancement Program is intended to support non-traditional transportation projects in order to improve communities and create more balanced transportation systems; and

WHEREAS, There is need to provide a connection between the VDOT Falling Branch Park & Ride Lot and the nearby Echostar facility in order that employees can commute to and from work using the SmartWay Bus which regularly stops at the Park & Ride Lot; and

WHEREAS, Such a connection could be provided by building approximately ½ mile of bikeway / walkway across VDOT property and Falling Branch Elementary School property.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby schedules a public hearing for Monday, October 24, 2005 at 7:15 p.m., or as soon thereafter, at the Montgomery County Government Center, 2nd Floor Board Room, 755 Roanoke Street, Christiansburg, Virginia to receive public comment on the potential SmartWay Bus / Echostar Connection Transportation Enhancement Program application.

A-FY-06-31
Appropriation of Funds
to the League of Women Voters
for the 2006 Facts For Voters Publication

On a motion by Steve L. Spradlin, seconded by Annette Perkins and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2006, for the function and in the amount as follows:

910	Other Agencies	
	League of Women Voters	\$200

The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
451203	Undesignated Fund Balance	\$200

Said resolution appropriates funding to support the League of Women Voters publication of the 2006 Facts for Voters.

A-FY-06-32
HUMAN RESOURCES
APPROPRIATION OF CANTEEN FUNDS

On a motion by Steve L. Spradlin, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2006, for the function and in the amount as follows:

110	Human Resources	\$1,470
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The source of the funds for the foregoing appropriation is as follows:

<u>Revenue Account</u>		
419112	Canteen Funds	\$1,470

Said resolution appropriates monies received from Canteen funds for use for employee functions.

A-FY-06-33
MEADOWBROOK LIBRARY

FURNITURE

On a motion by Steve L. Spradlin, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2006, for the function and in the amount as follows:

02 451209	Transfer to County Capital Projects Fund	\$21,957
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

451203	Undesignated Fund Balance	\$21,957
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BE IT FURTHER RESOLVED, That the County Capital Projects Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2006, for the function and in the amount as follows:

710	Meadowbrook Library	\$21,957
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

12 451100	Transfer from the General Fund	\$21,957
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Said resolution appropriates funds for furniture for the Meadowbrook Library.

A-FY-06-34 SOCIAL SERVICES – PUBLIC ASSISTANCE SUPPLEMENTAL APPROPRIATION AND TRANSFER FROM SPECIAL CONTINGENCIES

On a motion by Steve L. Spradlin, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2006, for the function and in the amount as follows:

540	Social Services – Purchased Services	\$35,341
540	Social Services – Public Assistance	<u>25,000</u>
	Total	\$60,341

The sources of the funds for the foregoing appropriation is as follows:

Revenue Account

424105 881	Non-View Day Care	\$35,341
424105 810	TANF Emergency Assistance	<u>\$25,000</u>
Total		\$60,341

BE IT FURTHER RESOLVED, That a transfer is hereby authorized as follows:

FROM:

960	Special Contingencies – Public Assistance	\$3,927
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TO:

540	Social Services – Purchased Services	\$3,927
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Said resolution appropriates additional state funding for Non-View Daycare and TANF Emergency Assistance, as well as transfers the local match for Non-View Daycare.

**A-FY-06-35
SHERIFF
RECOVERED COSTS**

On a motion by Steve L. Spradlin, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2006, for the function and in the amount as follows:

310	Sheriff – Comp Board	\$ 1,691
321	Sheriff – Grants	<u>\$28,660</u>
Total		\$30,351

The sources of the funds for the foregoing appropriation are as follows:

Revenue Account

441101	Insurance Recoveries	\$ 1,691
424401	Sheriff Grants	\$28,500
424401	Project Lifesaver	<u>\$ 160</u>
Total		\$30,351

Said resolution appropriates recovered costs from insurance, contributions to the Project Lifesaver program, and DMV grants.

**A-FY-06-36
J&D COURT**

SUPPLEMENTAL APPROPRIATION

On a motion by Steve L. Spradlin, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2006, for the function and in the amount as follows:

230	J&D Court Clerk	\$1,752
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The source of the funds for the foregoing appropriation is as follows:

Revenue Account

451203	Fund Balance	\$1,752
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Said resolution appropriates funds for use by the J&D Court Clerk to purchase case file shelving.

R-FY-06-37 BOARD OF SUPERVISORS MEETING CHANGE MEETING DATE

On a motion by Steve L. Spradlin, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby schedules its first meeting in November on **Wednesday, November 16, 2005 at 6:00 p.m.**

R-FY-06-38 RESOLUTION OF APPRECIATION OFFICE ON YOUTH ADVISORY BOARD JOHNNA ELLIOTT

On a motion by Steve L. Spradlin, seconded by Annette S. Perkins and carried unanimously,

WHEREAS, *Johnna Elliott* has faithfully served as a member of the Office on Youth Advisory Board since September, 1999; and

WHEREAS, The County recognizes the excellent and dedicated service that ***Johnna Elliott*** has rendered the citizens of Montgomery County.

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia, on behalf of the entire citizenship, extends a unanimous vote of appreciation and gratitude to ***Johnna Elliott***.

BE IT FURTHER RESOLVED, That the original of this resolution be presented to *Johnna Elliott* and that a copy be made a part of the official Minutes of Montgomery County.

NEW BUSINESS

**R-FY-06-39
WESTERN VIRGINIA REGIONAL JAIL AUTHORITY
REIMBURSEMENT FOR PROFESSIONAL SERVICES
INCURRED BY THE AUTHORITY PRIOR TO
ISSUANCE OF BONDS**

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously,

WHEREAS, Montgomery County, Virginia (“locality”) is a member of the Western Virginia Regional Jail Authority (hereinafter “Authority”); and

WHEREAS, The Authority is in the process of planning for the construction and operation of a regional jail; and

WHEREAS, The construction of the jail is expected to be funded by proceeds of the sale of bonds which will include the costs of professional services necessary for construction of the jail; and

WHEREAS, The Authority is not yet in a position to issue bonds; and

WHEREAS, The Authority is currently working to obtain interim borrowing not to exceed \$10 million which will cover architectural/engineering plans, property acquisition, and early site work; and

WHEREAS, The interim borrowing is expected to be rolled into the permanent financing in the Fall of 2006; and

WHEREAS, It is in the Authority’s best interest to hire providers of professional services including, but not limited to architectural/engineering, bond counsel, and legal counsel but lacks the funds at this time to do so; and

WHEREAS, Each member locality of the Authority is being requested to reimburse the Authority for these professional costs until such time that a service agreement is adopted by the participating members of the Authority; and

WHEREAS, Such proportionate costs paid by each member locality will be reimbursed to the member localities by the Authority once the Authority has secured interim borrowing.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the Board hereby authorizes the County Administrator to reimburse the Authority in the event that proceeds of a bond sale are not available for the professional fees, subject to appropriation by the Board and subject to reimbursement by the Authority, in the same proportion as the proportion of beds allocated in the agreement to create the Authority for professional service fees not to exceed \$10 million incurred by the Authority until such time that the Authority enters into a service agreement with Authority members or the Board takes subsequent action rescinding this Resolution.

The vote on the foregoing resolution was as follows:

AYE

Annette S. Perkins

Steve L. Spradlin

Doug Marrs

Mary W. Biggs

John A. Muffo

Gary D. Creed

NAY

None

ABSENT

James D. Politis

R-FY-06-40
INDUSTRIAL DEVELOPMENT AUTHORITY
ISSUANCE OF REVENUE BONDS BY THE
IDA OF THE CITY OF RADFORD FOR THE
BLACKSBURG NEW SCHOOL

On a motion by Annette S. Perkins, seconded by Steve L. Spradlin and carried unanimously,

WHEREAS, There was described to the Industrial Development Authority of Montgomery County, Virginia (**the “Montgomery Authority”**), the plans of the Blacksburg New School (**the “School”**) and the Industrial Development Authority of the City of Radford, Virginia (**the “Radford Authority”**), with respect to the issuance by the Radford Authority of its revenue bond (**the “Bond”**) in an aggregate principal amount not exceeding \$1,000,000 pursuant to the Virginia Industrial Development and Revenue Bond Act (**the “Act”**), to be used to assist the School in financing the acquisition, construction, equipping and furnishing of a new school facility (**the “Project”**) to be located on a 5 acre parcel of land on the east side of North Main Street, approximately 1,000 feet north of the intersection with Maywood Street in the Town of Blacksburg, Montgomery County, Virginia (**“Montgomery County”**); and

WHEREAS, The Project will be owned and operated by the School for its school for students in grades Kindergarten through 8th Grade and related uses; and

WHEREAS, The School is a nonprofit Virginia nonstock corporation that is exempt from income taxation under Section 501(c)(3) of the Internal Revenue Code of 1986, as amended (**the “Code”**) and its principal place of business is located at 2470 Ramble Road, Blacksburg, Virginia 24060; and

September 26, 2005

Page 13 of 23

WHEREAS, A public hearing with respect to the Bond as required by the Act and the Code, was held by the Montgomery Authority on September 20, 2005; and

WHEREAS, It has been represented to the Montgomery Authority that the Radford Authority will hold a public hearing with respect to the Bond on September 30, 2005, and is expected to adopt an approving resolution (**the “Radford Authority Resolution”**) with respect to the Bond; and

WHEREAS, The Montgomery Authority has recommended to the Board of Supervisors of Montgomery County (**the “Board of Supervisors”**) its approval of and concurrence with the issuance of the Bond by the Radford Authority under the Act, in such amounts as may be necessary to finance the cost of the Project; and

WHEREAS, Section 147(f) of the Code provides that both the governmental unit having jurisdiction over the area in which any facility financed with the proceeds of private activity bonds is located and the governmental unit on behalf of which such bonds are issued must approve the issuance of the bonds after a public hearing; and

WHEREAS, Section 15.2-4905 of the Act provides that if a locality has created an industrial development authority, no industrial development authority created by a second locality may finance a facility located in the first locality unless the governing body of such first locality concurs with the inducement resolution adopted by the industrial development authority created by the second locality; and

WHEREAS, The Project to be financed through the issuance of the Bond is located in Montgomery County and the Board of Supervisors constitutes the highest elected governmental unit of Montgomery County; and

WHEREAS, The Board of Supervisors has created the Montgomery Authority pursuant to the Act; and

WHEREAS, The City Council of the City of Radford constitutes the highest elected governmental unit of the City; and

WHEREAS, The City Council has created the Radford Authority pursuant to the Act; and

WHEREAS, The City Council will be requested to approve the plan of financing for the Project and the issuance of the Bond for the benefit of the School and to designate the Bond as a “qualified tax-exempt obligation” under Section 265(b) of the Code; and

WHEREAS, The approving resolutions of the City Council of the City and the Radford Authority are each contingent upon the Board of Supervisors approval of, and concurrence with, the issuance of the Bond by the Radford Authority.

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS
OF THE COUNTY OF MONTGOMERY, VIRGINIA:**

1. The Board of Supervisors of the County hereby approves and concurs with the financing of the Project and the issuance of the Bond by the Radford Authority for the benefit of the School, as required by Section 147(f) of the Code and Sections 15.2-4905 and 15.2-4906 of the Act, to permit the Radford Authority to assist in the financing of the Project.
2. The approval of and concurrence with the issuance of the Bond, as required by said Section 147(f) of the Code and Sections 15.2-4905 and 15.2-4906 of the Act, does not constitute an endorsement of the Bond or the creditworthiness of the School or otherwise indicate that the Project possesses any economic viability. As required by the Act, the issuance of the Bond as requested by the School will not constitute a debt or pledge of the faith and credit of the Commonwealth of Virginia, the City of Radford, Virginia (**the “City of Radford”**), the Radford Authority, Montgomery County or the Montgomery Authority. Neither the Commonwealth of Virginia nor any political subdivision thereof, including the Radford Authority, the City of Radford, the Montgomery Authority or Montgomery County shall be obligated to pay the Bond, or the interest thereon, or other costs incident thereto, except from the revenues and monies pledged therefore, and neither the faith and credit nor the taxing power of the Commonwealth of Virginia nor any political subdivision thereof, including the Radford Authority, the City of Radford, Virginia, the Montgomery Authority and Montgomery County, will be pledged to payment of principal of such Bond or the interest thereon or other costs incidental thereto.
3. This resolution shall take effect immediately upon its adoption.

ADOPTED this 26th day of September, 2005.

The vote on the foregoing resolution was as follows:

AYE

Annette S. Perkins
Steve L. Spradlin
Doug Marrs
Mary W. Biggs
John A. Muffo
Gary D. Creed

NAY

None

ABSENT

James D. Politis

**A-FY-06-37
MONTGOMERY – FLOYD REGIONAL
LIBRARY ESCROW REQUEST**

On a motion by John A. Muffo, seconded by Mary W. Biggs and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the General Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2006, for the function and in the amount as follows:

710	Montgomery Library	\$64,951
720	Floyd Library	<u>20,426</u>
	Total	\$85,377

The source of the funds for the foregoing appropriation is as follows:

Revenue Account	
451205	Fund Balance
	\$85,377

Said resolution appropriates escrow funds for use by the Library for furniture and site improvements for the Meadowbrook Library; and materials for patrons and furniture for the Floyd Library.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	James D. Politis
Steve L. Spradlin		
Doug Marrs		
Mary W. Biggs		
John A. Muffo		
Gary D. Creed		

A-FY-06-38
SCHOOL OPERATING FUND
CARRYOVER OF FUNDS

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously,

BE IT RESOLVED, By the Board of Supervisors of Montgomery County, Virginia that the School Operating Fund was granted an appropriation in addition to the annual appropriation for the fiscal year ending June 30, 2006, for the function and in the amount as follows:

School Operating		
564000	Operations and Maintenance	278,701

The sources of funds for the foregoing appropriation is as follows:

Revenue Account:

451204	Fund Balance	\$278,701
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Said resolution appropriates unspent school operating funds remaining at June 30, 2005.

The vote on the foregoing resolution was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Annette S. Perkins	None	James D. Politis
Steve L. Spradlin		
Doug Marrs		
Mary W. Biggs		
John A. Muffo		
Gary D. Creed		

**R-FY-06-41
SCHOOL CAPITAL
MAINTENANCE PROJECT
BOND PROCEEDS**

On a motion by Mary W. Biggs, seconded by Annette S. Perkins and carried unanimously,

WHEREAS, The Board of Supervisors financed certain capital improvements relating to the Montgomery County School System through the issuance of (i) \$16,995,000 Lease Revenue Bonds, Series 2001 and (ii) \$16,805,000 Lease Revenue Bonds, Series 2000B, each issued by the Industrial Development Authority of Montgomery County, Virginia and after completion of the Christiansburg Middle School Project and the Blacksburg Middle School Project, remaining proceeds from these bonds not previously designated for specific school projects total \$621,260.

WHEREAS, The Montgomery County School Board has requested that such remaining monies be used to complete as many of the School Facility Projects on the attached list entitled "Capital Maintenance Project List FY 2005-2006".

NOW, THEREFORE, BE IT RESOLVED, The Board of Supervisors of the County of Montgomery, Virginia hereby approves the use of all remaining monies from the sale of the 2001 Bonds and the 2000 Bonds to be used for projects on the Capital Maintenance Project List for Fiscal Year 2005-2006, contingent upon confirmation from the Schools that these funds will not be needed for the new Blacksburg Middle School or the new Christiansburg Middle School.

The vote on the foregoing resolution was as follows:

AYE

Annette S. Perkins
Steve L. Spradlin
Doug Marrs
Mary W. Biggs
John A. Muffo
Gary D. Creed

NAY

None

ABSENT

James D. Politis

**R-FY-06-42
APPOINTMENT
ADJUSTMENT & APPEALS BOARD**

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby appoints **C. Michael Schlosser** to the Adjustment and Appeals Board effective September 27, 2005 and expiring September 26, 2009.

The vote on the foregoing resolution was as follows:

AYE

Annette S. Perkins
Steve L. Spradlin
Doug Marrs
Mary W. Biggs
John A. Muffo
Gary D. Creed

NAY

None

ABSENT

James D. Politis

**R-FY-06-43
APPOINTMENT
AGENCY ON AGING**

On a motion by Mary W. Biggs, seconded by Steve L. Spradlin and carried unanimously,

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **Robert E. Gribben** to the New River Valley Agency on Aging effective October 1, 2005 and expiring September 30, 2006.

The vote on the foregoing resolution was as follows:

AYE

Annette S. Perkins
Steve L. Spradlin
Doug Marrs
Mary W. Biggs
John A. Muffo
Gary D. Creed

NAY

None

ABSENT

James D. Politis

**R-FY-06-44
APPOINTMENT - ALTERNATE
AGENCY ON AGING**

BE IT RESOLVED, The Board of Supervisors of Montgomery County, Virginia hereby reappoints **Lori Bell Mick** as an **Alternate** to the New River Valley Agency on Aging effective October 1, 2005 and expiring September 30, 2006.

The vote on the foregoing resolution was as follows:

AYE

Annette S. Perkins
Steve L. Spradlin
Doug Marrs
Mary W. Biggs
John A. Muffo
Gary D. Creed

NAY

None

ABSENT

James D. Politis

**R-FY-06-45
RESOLUTION APPROVING
THE REAL ESTATE PURCHASE AGREEMENT
BETWEEN CJ&S PETROLEUM COMPANY, INC.
AND THE COUNTY OF MONTGOMERY, VIRGINIA**

On a motion by Mary W. Biggs, seconded by Steve L. Spradlin and carried,

BE IT RESOLVED, By the Board Of Supervisors of the County of Montgomery, Virginia, that the Board of Supervisors hereby agrees to the Purchase Agreement between CJ&S Petroleum Company, Inc. and the County of Montgomery, Virginia dated September 26, 2005; and

BE IT FURTHER RESOLVED, That the Board of Supervisors hereby authorizes Gary D. Creed, Chair, to sign the Purchase Agreement on behalf of the County of Montgomery, Virginia.

The vote on the foregoing resolution was as follows:

AYE

Annette S. Perkins
Steve L. Spradlin
Mary W. Biggs
John A. Muffo
Gary D. Creed

NAY

Doug Marrs

ABSENT

James D. Politis

INTO WORK SESSION

On a motion by Doug Marrs, seconded by Steve L. Spardlin and carried unanimously,

BE IT RESOLVED, The Board of Supervisors hereby enters into Work Session for the purpose of discussing the following:

1. Capital Improvement Program – Davenport and Company LLC, Financial Advisors
2. Tax Exemption and Deferral for the Elderly and Handicapped
3. Six-Year Road Improvement Plan for Primary and Interstate Highways

The vote on the foregoing motion was as follows:

AYE

John A. Muffo
Steve L. Spradlin
Annette S. Perkins
Doug Marrs
Mary W. Biggs
Gary D. Creed

NAY

None

ABSENT

James D. Politis

Capital Improvement Program – Davenport & Company LLC, Financial Advisors

Courtney Rogers with Davenport & Company LLC., the County's Financial Advisors, provided a presentation on capital improvement planning.

Tax Exemption and Deferral for the Elderly and Handicapped

Sharon Gilbert, Commissioner of Revenue, addressed the Board regarding the Tax Exemption and Deferral Program for the Elderly and Handicapped. Ms. Gilbert asked on behalf of the senior citizens and disabled citizens in Montgomery County, that the County keep the tax relief program as exempt or deferred. This program is to help citizens in the present day, not to help their heirs after they are deceased. Ms. Gilbert believes if the program is changed to strictly deferral it would destroy the program.

Ms. Gilbert reported there were 461 applicants that qualified for relief this year. 341 applicants are under the \$16,000 income limit and received 100% relief. 67 applicants qualified for 60% relief and 32 applicants qualified for 40% relief. The lowest income reported was \$1,137 annually, and the highest income reported was \$25,931. Ms. Gilbert believes the tax relief program should remain as is.

Six-Year Road Improvement Plan for Primary and Interstate Highways

The County Administrator provided a brief presentation on the Six-Year Road Improvement Plan for Primary and Interstate Highways. On April 11, 2005 the Board adopted a resolution outlining their priorities for Interstate and Primary Roads, which includes safety concerns on Route 114, Route 8 and Interstate 81. The County Administrator suggested that the Board's April 11, 2005 resolution be amended to incorporate Margaret Smith's comments that would request the Commonwealth Transportation Board to consider "necessary upgrades to improve the safety on US Route 8 from the southern corporation limits of the Town of Christiansburg through Montgomery County to the Floyd County line including, but not limited to, bringing the two lanes up to standard width, straightening the numerous dangerous curves and adding shoulders for disabled vehicles to pull off the road."

By consensus, the Board agreed to amend the April 11, 2005 resolution to include specific safety improvements on US Route 8.

OUT OF WORK SESSION

On a motion by Mary W. Biggs, seconded by Doug Marrs and carried unanimously,

BE IT RESOLVED, The Board of Supervisors ends their Work Session to return to Regular Session.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Steve L. Spradlin	None	James D. Politis
Annette S. Perkins		
Doug Marrs		
Mary W. Biggs		
John A. Muffo		
Gary D. Creed		

COUNTY ATTORNEY'S REPORT

Human Services Commission The Human Service Commission has voted to dissolve the Commission. In 1984, the Humans Service Commission was incorporated as a non-profit commission through the State Corporation Commission. They have requested the County Attorney's assistance to file the necessary papers with the State Corporation Commission in order to dissolve the Human Services Commission. The County Attorney wanted to advise the Board of Supervisors of this action since the Board does appoint citizens to the Commission.

COUNTY ADMINISTRATOR'S REPORT

Board of Supervisors December Meetings The County Administrator requested guidance as to the meetings for December. In the past, the Board normally holds only one meeting for the month, which is the third Monday to accommodate the Planning Commission's schedule. The County Administrator stated if this is desirable then only one meeting will be scheduled, which will be December 19, 2005.

Mental Health Association Grant The Assistant County Administrator reported that the Mental Health Association of the New River Valley, in partnership with Montgomery County, has been awarded a grant from the U.S. Substance Abuse and Mental Health Services Administration (SAMHSA) to create the nation's first rural, cross-jurisdictional jail diversion program for persons with mental illness. The grant is one of six awarded in the nation, and the only one to be awarded to a largely rural community. Grant funds totaling \$1.2 million will be received over a three-year period to plan and operate this innovative jail diversion program. This effort will be led by the Mental Health Association of the New River Valley, with Montgomery County serving as the fiscal agent for the entire program.

Library Grant The Montgomery-Floyd Regional Library notified County Administration today that they did not receive the \$55,000 Rural Development Grant. Staff will be working to see how this will impact the Library budget for the Meadowbrook Library. The Library can re-apply for the grant.

BOARD MEMBERS' REPORT

Supervisor Biggs asked if a date has been scheduled for the joint meeting with the School Board. Staff reported that a joint meeting has been scheduled for October 17, 2005.

Supervisor Perkins - New River Valley Planning District Commission (NRVPDC)

The NRVPDC is in the process of developing a regional water supply study for the region, which involves the Counties of Montgomery, Floyd, Pulaski, and Giles. The regional water supply study should be completed in December 2005.

The NRVPCD also has set their legislative priorities and priorities for the Six-Year Road Plan for Interstate and Primary Roads.

On Wednesday, November 2, 2005 the annual NRVPCD dinner will be held at Radford University West, which is the old St. Albans site.

Virginia Tech/Montgomery Regional Airport Authority Phase II of the apron renovations have been approved. The Authority is still working on the Master Plan for the Airport and they are at the beginning stage of meetings with landowners who have property in the No Fly Zone.

Supervisor Muffo - Rotary Club Peace Sculpture Supervisor Muffo reported that the Rotary Club has requested Montgomery County's help in seeking a home for a Peace Sculpture that was made with metal from the Twins Towers that were destroyed in New York on September 11, 2001. The County Administrator has been working with staff to identify several locations appropriate for the sculpture. The Rotary Club will provide preliminary drawings of the sculpture in the near future. Supervisor Muffo asked Board members to give the County Administrator authorization to move forward with identifying possible locations for the placement of the Peace Sculpture.

By Board consensus, the County Administrator was given authorization to move forward.

ADJOURNMENT

On a motion by Annette S. Perkins, seconded by Mary W. Biggs and carried unanimously, the Board adjourned to Tuesday, October 11, 2005.

The vote on the foregoing motion was as follows:

<u>AYE</u>	<u>NAY</u>	<u>ABSENT</u>
Steve L. Spradlin	None	James D. Politis
Annette S. Perkins		
Doug Marrs		
Mary W. Biggs		
John A. Muffo		
Gary D. Creed		

The meeting adjourned at 9:35 p.m.

ATTEST:	
Gary D. Creed Chair	Clayton B. Goodman, III County Administrator